

**CITY OF MILWAUKIE
CITY COUNCIL MEETING
OCTOBER 29, 1991**

EXECUTIVE SESSION

Mayor Lomnicki called the executive session pursuant to 192.660.(1)(e) to discuss real property transaction to order at 7:10 pm.

Present at the session were Mayor Lomnicki, Councilmembers R. Hall, Schreiber, B. Hall, and Knudson; Dan Bartlett, City Manager; Mike Robinson, City Attorney; and Pat DuVal, City Recorder.

Dan Bartlett, City Manager, discussed property leased from Barnfair, Inc. He and Council reviewed the status of property negotiations and counter offers.

Mayor Lomnicki adjourned the executive session at 7:25 pm.

REGULAR SESSION

Mayor Lomnicki called the special meeting of the Milwaukie City Council to order at 7:27 pm in the Milwaukie Center with the following Councilmembers present:

Craig Lomnicki,
Mayor
Roger Hall

Jean Schreiber
Bee Hall
Bob Knudson

Also present:

Dan R. Bartlett,
City Manager
Mike Robinson,
City Attorney
Chuck Mansfield,
Police Chief

Dan Olsen,
Fire Chief
Tim Corbett,
Public Works Director
Pat DuVal,
Recorder/Secretary

OTHER BUSINESS

Consider Property Counter Offer

It was moved by Councilmember Knudson and seconded by Councilmember R. Hall to direct the City Manager to make a counter offer to Barnfair, Inc. and negotiate according to the appraisal amount. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember R. Hall, Councilmember Schreiber, Councilmember B. Hall, and Councilmember Knudson aye; no nays; no abstentions.

SPECIAL CITY COUNCIL MEETING - OCTOBER 29, 1991**Consider Architect Agreement**

Bartlett presented the staff report in which he requested that the City Council authorize him to sign an agreement with MacKenzie/Saito & Associates not to exceed \$303,550 plus reimbursable items subject to the City Attorney's approval as to form of the contract language. **Bartlett** said he had met with the architectural firm three times. He said the City Attorney was reviewing the contract language to be more favorable to the City.

Councilmember R. Hall asked how the traffic study would differ from the data provided by OTAK. **Corbett** said MacKenzie/Saito would be looking at a larger picture, further into the future. Council discussed the possible traffic routes and the future of light rail in Milwaukie.

Bartlett reviewed the possible actions that might be taken by Council at this meeting. He recommended that Council authorize him to sign the agreement not to exceed \$303,550 plus reimbursable subject to the City Attorney's approval as to form. He discussed the hiring of a construction manager directly. **Bartlett** said he was contacting several possible candidates for this position.

Mike Robinson, City Attorney, said the standard AIC form contract favors the architect. He said there were options that the City should have available.

Councilmember Knudson asked how contracting a construction manager directly would impact the cost. **Bartlett** said the architect firm had allowed \$75,000 for this position. He said he believed the City could hire their own construction manager for approximately \$30,000.

It was moved by Councilmember Schreiber and seconded by Councilmember B. Hall to authorize the City Manager to sign an agreement with MacKenzie/Saito & Associates not to exceed \$303,550 plus reimbursable subject to the City Attorney's approval as to form of the contract language. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember R. Hall, Councilmember Schreiber, Councilmember B. Hall, and Councilmember Knudson aye; no nays; no abstentions.

Winsor Place Easement

Bartlett presented the staff report in which the City Council was requested the accept an easement from property owner, Home Place Developer. He said this easement had been reviewed by the City Attorney. **Bartlett** said this had been designated as a natural resource, wetland site. He said the City would maintain this property as a wetlands retention/detention area.

It was moved by Councilmember R. Hall and seconded by Councilmember Knudson accept an easement for Home Place Developer. Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember R. Hall, Councilmember Schreiber, Councilmember B. Hall, and Councilmember Knudson aye; no nays; no abstentions.

SPECIAL CITY COUNCIL MEETING - OCTOBER 29, 1991**Consider Sale of Computerized Data Base**

Bartlett said recent legislation had determined that computerized data bases are not public record and allows public agencies to sell these to private parties. He requested that Council authorize staff to set the cost at \$320 per quarter with a data license which would prevent the buyer from reselling the information.

It moved by Councilmember Schreiber and seconded by Councilmember Knudson to sell computerized data base at \$320 per quarter with a data license.

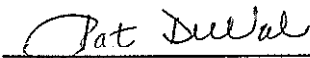
Ron Kinsella, 11957 SE 34th Ave., asked why decisions on the Public Safety Building were being made at a special Council meeting and not a regular session. **Bartlett** said the meeting, which had been announced according to City Charter, helped the architects meet their proposed deadlines.

Motion passed 5 - 0 with the following vote: Mayor Lomnicki, Councilmember R. Hall, Councilmember Schreiber, Councilmember B. Hall, and Councilmember Knudson aye; no nays; no abstentions.

Bartlett said the special Council meeting was also held to authorize property negotiations.

Councilmember R. Hall discussed the impact of the Tacoma overpass on Oregon Worsted. He also reviewed the activities of the Fair and Efficient Law Enforcement Committee.

Mayor Lomnicki adjourned the special meeting at 8:13 pm.



Pat DuVal, Recorder/Secretary

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